PUBLIC NOTICE

US Army Corps of Engineers

Seattle District

Richard Wright, Project Manager
(206) 764-6946
Nancy Gleason, Environmental Coordinator
(206) 764-6577

Public Notice Date: November 1, 2007
Expiration Date: December 1, 2007
Reference: PL-08-01
Name: Seattle District,
Corps of Engineers
P. O. Box 3755
Seattle, WA 98124-2255

30 Day Notice

Interested parties are hereby notified that the U. S. Army Corps of Engineers, Seattle District, plans to perform work for Albeni Falls Dam (AFD) in the vicinity of the Sandpoint Water Treatment Plant, in the city of Sandpoint, Idaho. This work is subject to Section 404 of the Clean Water Act and is described below and shown on the enclosed drawings. Funds are allocated each year via Congress for Operations and Maintenance of the Albeni Falls Dam Project, and as such there is no local sponsor of this bank protection project.

Location - The project is located in northwest Idaho in the City of Sandpoint in west Bonner County. Reference Figure 1 for a vicinity map. Albeni Falls Dam is located at river mile 90 on the Pend Oreille River. The Sandpoint Water Treatment Plant project site is located on the north shore of Lake Pend Oreille approximately 30 miles upstream from the dam. Figures 2 and 3, site access plans, show the Sandpoint Water treatment Plant project site in relation to the City of Sandpoint.

Work – The City of Sandpoint has expressed concerns over the last several years about erosion near its Water Treatment Plant located on the west shore of Lake Pend Oreille. The erosion and bank failure have progressed a few feet per year for the last several years and is expected to continue to progress in that manner. The erosion has now progressed very near and possibly outside of government flowage easement lands. When the erosion progresses outside of government owned flowage easements, the U. S. Government will have a legal obligation to cure this encroachment and protect private land, the water treatment plant, and ultimately the railroad. Soils are highly erodible, subject to high winds and large waves during the period the reservoir is at full pool, and subject to large mass failure. The U. S. Government is obligated to protect the railroad right of way in accordance with Relocation Contract DACW-67-7-95-77. Reaches of the lake shoreline to the north of this project site have been stabilized in similar fashion through Corps construction contracts or other agreements dating back to the 1970s and, along the shoreline to the south, rock protection was installed by Cox private landowner in the 1990s. In the winter of 2005, Buena Vista Group, the developer of the southern portion of the project site, constructed their own bank stabilization over the southern 350 ft of the project reach, which reduced the original project scope from 1,400 ft to approximately 1,050 ft

The scope of the project includes the stabilization of approximately 1,050 feet of shoreline to prevent further erosion of this valuable habitat and to stop further encroachment into BNSFRR property and Sandpoint Water Treatment Plant property. Erosion and bank failure has approached the flowage easement area and encroachment into the Water Treatment Plant and BNSFRR property is imminent. The approximate time frame for construction is 7 January 2008 thru 31 January 2008.

Construction will begin at the southern end of the project and progress northward. This project will be constructed from the top of bank. Excavation and removal of trees and brush will be necessary for this construction method. The excavated bank material will be placed in low areas along the alignment where erosion has migrated further and created pockets. The site will be hydro-seeded after construction.

The project will also make use of a staging area just north of the Sandpoint Water Treatment Plant fence line to store and refuel equipment. The staging area is accessed using the public road and is near the north end of the site. This area will also be a staging area for rock. Rock will be delivered to the staging area in 30 ton loads and re-handled by on-site solo trucks. Rock delivered this way will be more cost effective and there will be less traffic passing the Bella Vista site. The staging area will also be a repository for debris requiring disposal or recycling. It is estimated that old car frames and other debris will be encountered along the construction footprint.

Material will consist of Class V riprap, Class IV riprap, quarry spalls, 3-inch minus crushed stone, and 1¼-minus gravel. All trees that have fallen (because of erosion) into the lake will be removed and the coniferous trees will be placed into the bank stabilization project to provide fish habitat. Filter fabric will be placed along the shoreline next to the bank to provide additional support and to prevent fine sediment from entering the lake. This process will be similar to the method used to stabilize the eroding shoreline at Black Rock near Ponderay, ID in 2004. The attached figures show the location, alignment, and typical cross sections of the stabilization structure.

Purpose–The purpose of the project is to design and construct bank protection for approximately 1050 ft along the north shore of Pend Oreille Lake in the vicinity of the water treatment plant in Sandpoint, ID.

The following agencies and entities have been involved with the environmental coordination of the proposed project:

- USACE, Albeni Falls Dam
- U.S. Fish and Wildlife Service (USFWS)
- Idaho Department of Fish and Game (IDFG)
- Idaho Department of Lands (IDL)
- Idaho Department of Environmental Quality (IDEQ)
- Cultural Resource Management Cooperating Group
- Idaho State Historic Preservation Office
- Coeur d'Alene Tribe
- Kalispel Tribe
- Kootenai Tribe of Idaho
- Confederated Salish and Kootenai Tribes

The area of concern was timing the window of construction. Based on the USFWS concern for wintering eagles monitoring will occur daily during construction prior to the start of the day for eagles that may be within ¼ mile of the project area. Currently, there is only one known nest within two miles of the project site. No known nesting or roosting habitat will be physically altered.

Endangered Species - In accordance with Section 7(a)(2) of the Endangered Species Act of 1973 (Title 16 USC, Chapter 35, Section 1536(a)2), as amended, Federally funded, constructed, permitted, or licensed projects must take into consideration impacts to Federally listed and proposed threatened or endangered species. The threatened or endangered species that may be found near the proposed project area are listed in Table 1.

Table 1. Threatened and Endangered Species of Lake Pend Oreille

Common Name	Scientific Name	Listing Status
Gray wolf	*Canus lupus*	Endangered
Ute ladies'-tresses	*Spiranthes diluvialis*	Threatened
Bull trout	*Salvelinus confluentus*	Threatened
Westslope Cutthroat Trout	*Oncorhynchus clarki lewisi*	Species of concern
Lynx	*Lynx canadensis*	Threatened
Wolverine	*Gulo gulo luscus*	Species of concern

Bull trout are known to occur in the vicinity of the project. The gray wolf, Ute ladies'-tresses, wolverine, and lynx do not have sufficient habitat to occur within the project vicinity.

Cultural Resources - Regarding Native American concerns, the proposed project area is within the lands ceded by the Kalispel Tribe of Indians. The Kootenai Tribe of Idaho, the Coeur d'Alene Tribe, the Confederated Salish and Kootenai Tribes of the Flathead Reservation, and the Spokane Tribe of Indians also have cultural interests in the area. The Tribes are concerned primarily with using, preserving, and restoring fish habitat and other natural resources.

Regarding cultural/archaeological concerns, the project area was surveyed in 2004 and 2005 by a Seattle-District USACE archaeologist who determined that no prehistoric archaeological sites were present in the project area. The Corps also contracted for an evaluation of the Humbird Mill site.

Regarding historic concerns, the Humbird Mill was known to operate in the area of the current Sandpoint WTP and BVG property during the late 1800s and early 1900s. The Humbird Lumber Company from Wisconsin purchased the existing Sandpoint Mill from the Ellersick brothers in 1901. Over its lifetime, the Mill produced approximately two billion board feet of lumber and employed about 350 men. The exact date that Humbird Mill ceased operations is not known, but it appears that the Great Depression caused the Mill to go out of business in the early 1930's. One account stated that all the timber, holdings, machinery shops, and miscellaneous items were sold to Weyerhaeuser at that time, and that the Humbird Company moved to Canada. The *Sandpoint Online* magazine also indicated that the Mill liquidated all its holdings and closed down in 1931. The Humbird Mill remains have been evaluated in accordance with the National Historic Preservation Act (36 CFR 60.4) and they are eligible for the National Register of Historic Places.

The U.S. Army Corps of Engineers (Corps) has determined that the proposed federal action falls within the scope of the 1991 Federal Columbia River Power System Hydroelectric Operations Programmatic Agreement attached to an environmental impact analysis of the Intertie Development and Use program ("IDUPA"). In accordance with the provisions of that agreement, specifically Stipulation 3, Interim Management, the Corps will follow the procedures of 36 CFR Part 800 in effect in 1991 when the IDUPA was signed, in addition to other provisions of the IDUPA that may apply. The Corps has discussed the cultural and historic aspects of the proposed action with the Albeni Falls Dam cultural resource management Cooperating Group, a technical-level panel of federal, tribal, state, and local subject-matter experts, and is communicating about the project separately with Indian tribal governments. The Corps has recommended that the proposed work proceed with a "no adverse effect" finding, and the Idaho State Historic Preservation Office has concurred. To assure that the proposed work adheres to the conditions for "no adverse effect", Corps archaeologists will continue to monitor the design and construction. However, should any previously undiscovered historic properties or human remains inadvertently be encountered during construction, all work in the affected area will cease. The Corps promptly will notify the Idaho State Historic Preservation Officer and local Indian Tribes and will work with them to develop and coordinate a plan for treating the properties or remains.

Public Hearing - Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to reconsider the proposed work. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Evaluation - The decision whether to perform the proposed work will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or not proceed with the proposed work. To make this decision, comments are used to access impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The evaluation of the impact of the activity on the public interest will include the application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act. This evaluation will include an alternatives analysis.

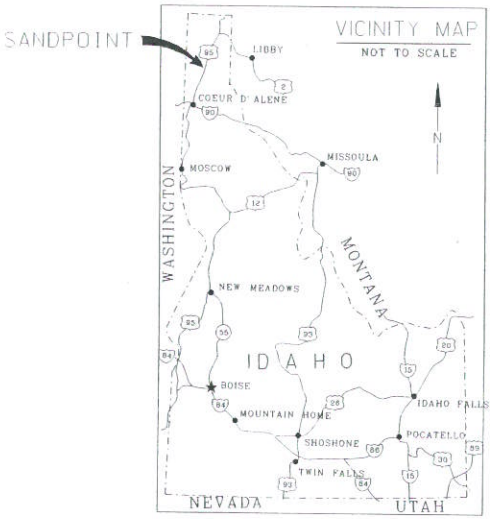
Comment and Review Period–Additional information concerning the project may be obtained at the above referenced address from Mr. Richard Wright, (206) 764-6946, or from Ms. Nancy Gleason, (206) 764-6577. Comments on these factors will be accepted and made part of the record and will be considered in determining whether it would be in the best public interest to perform the proposed work. Comments should reach this office, Attn: Mr. Richard Wright, NWS-PM-CW-CJ, not later than the expiration date of this public notice to ensure consideration and refer to the following file number: PL-08-01.

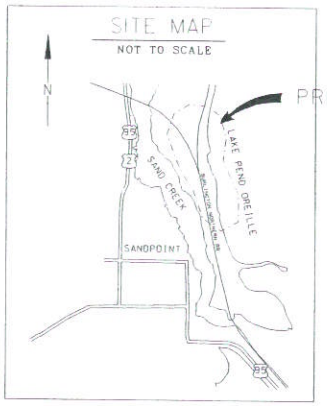
Encl
Drawings (4)

US Army Corps
of Engineers
Seattle District

ALBENI FALLS DAM
SANDPOINT
BANK STABILIZATION

SANDPOINT, IDAHO





FY08

SAFETY PAYS

This project was designed by the Seattle District U.S. Army Corps of Engineers. The initials or signatures and registration designations of individuals appearing within the specifications or on contract documents within the scope of their employment as required by ER 1110-1-8152, Professional Registration.

DATE AND TIME PLOTTED: 10/25/2007 12:19:15 PM
DESIGN FILE: I:\MISC\CEV\SANDPOINT WATERWAS DESIGN\SHT1 HALL.DGN

$$$RESIZE$$$$$$$$$$$$$$$$$$$

PREPARED: DENNIS A. FISCHER, PE, CHIEF CIVIL SOILS SECTION	U.S. ARMY ENGINEER DISTRICT, SEATTLE CORPS OF ENGINEERS SEATTLE, WASHINGTON
SUBMITTED: RICHARD J. WRIGHT, PE, PROJECT MANAGER	ALBENI FALLS DAM SANDPOINT BANK STABILIZATION
REVIEWED: DEAN M. SCHMIDT, CHIEF TECH. ENGINEERING AND REVIEW SECTION	TITLE: SITE & VICINITY MAPS
RECOMMENDED: OLTON SWANSON, PE, CHIEF DESIGN BRANCH	SANDPOINT IDAHO
APPROVED: MARK A. OHLSTROM, PE, CHIEF ENGINEERING & CONSTRUCTION DIVISION	SIZE D; INVITATION NO.; FILE NO. E-52-1-59; DATE 15 OCT 07; PLATE G-1; DSGN DESJARDIN; CHK KAISER; SHEET 1

Figure 1

MATCHLINE TO PLATE C-3

REVISIONS				
SYMBOL	ZONE	DESCRIPTION	DATE	BY

NOTES:
1. TIE NEW BANK PROTECTION INTO EXISTING BELLA VISTA GROUP (BVG) BANK PROTECTION AT SOUTH END OF SITE.

2. AERIAL PHOTO NOT TO SCALE: FOR INFORMATION ONLY.

3. RAILROAD TRACKS PROPERTY OF BNSF

4. ***** TEMPORARY EASEMENT FOR SITE ROAD ACCESS & STAGING AREA. APPROXIMATE EQUIPMENT PATH INCLUDED.

5. PERMANENT EASEMENT FROM CONTOUR 2053 TO 2067.5.

6. REMOVE VEGETATION AND EXCAVATE AS NECESSARY TO PROVIDE ACCESS FOR EQUIPMENT.

N

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U.S. ARMY ENGINEER DISTRICT, SEATTLE
CORPS OF ENGINEERS
SEATTLE, WASHINGTON

ALBENI FALLS DAM
SANDPOINT BANK STABILIZATION

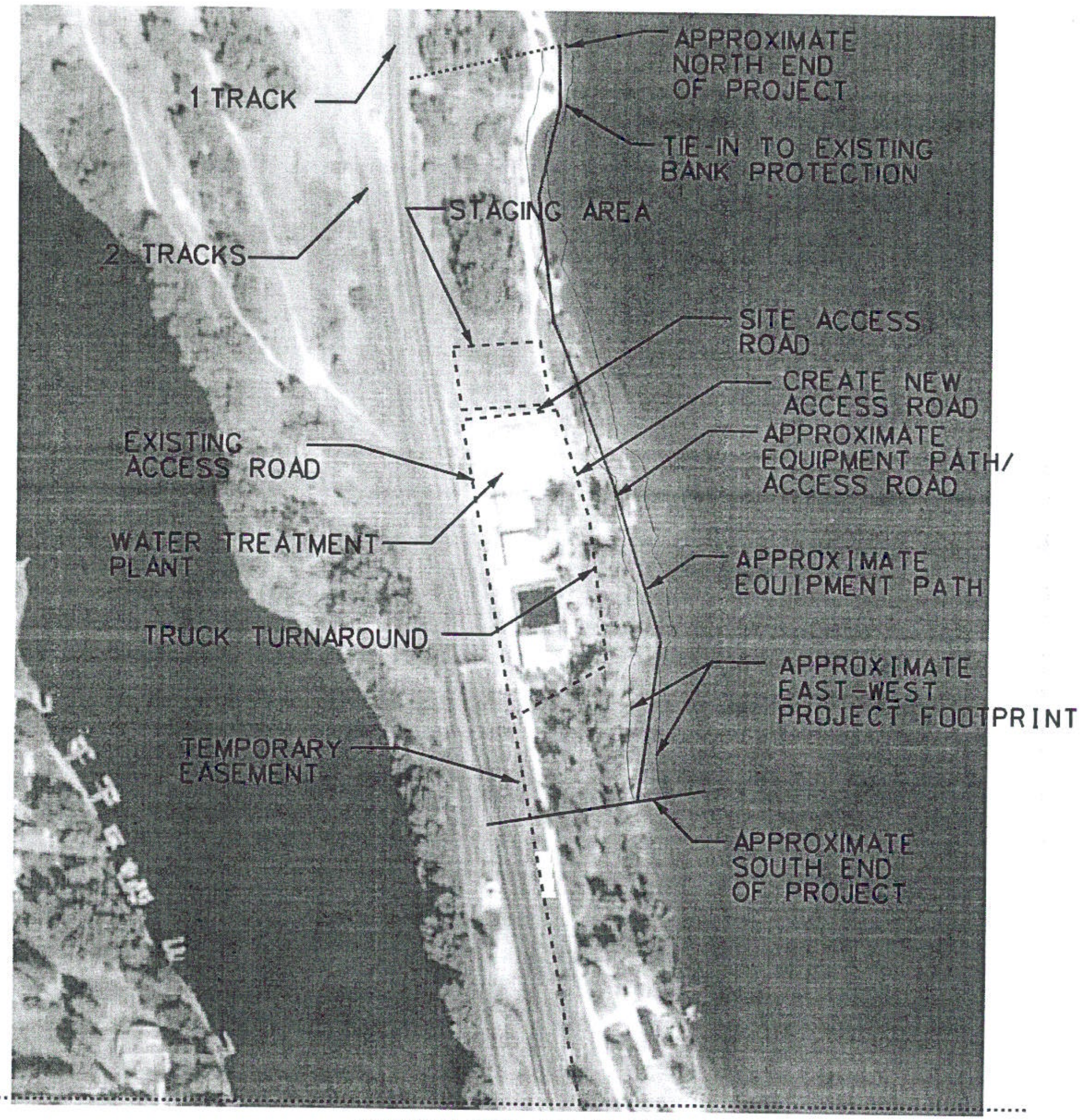
SITE ACCESS PLAN
SOUTH

SANDPOINT IDAHO

SIZE	INVITATION NO.	FILE NO.	DATE	PLATE
D		E-52-1-59	15 OCT 07	C-2

DSGN DESJARDIN CHK KAISER SHEET 4

Figure 2



MATCHLINE TO PLATE C-2

REVISIONS				
SYMBOL	ZONE	DESCRIPTION	DATE	BY

NOTES:

1. SITE ACCESS IS FROM SOUTH END OF PROJECT AND WILL PROCEED NORTH
2. AERIAL PHOTO NOT TO SCALE: FOR INFORMATION ONLY.
3. RR TRACKS PROPERTY OF BNSF
4. TIE NORTH END OF NEW RIPRAP BANK PROTECTION TO SOUTH END OF EXISTING BANK PROTECTION.
5.----: TEMPORARY EASMENT FOR SITE ROAD ACCESS & STAGING AREA. APPROXIMATE EQUIPMENT PATH INCLUDED.
6. PERMANENT EASMENT FROM CONTOUR 2053 TO 2067.5.
7. REMOVE VEGETATION AND EXCAVATE AS NECESSARY TO PROVIDE ACCESS FOR EQUIPMENT.

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U.S. ARMY ENGINEER DISTRICT, SEATTLE
CORPS OF ENGINEERS
SEATTLE, WASHINGTON

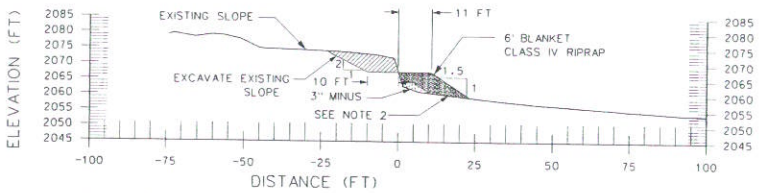
ALBENI FALLS DAM
SANDPOINT BANK STABILIZATION

SITE ACCESS PLAN
NORTH

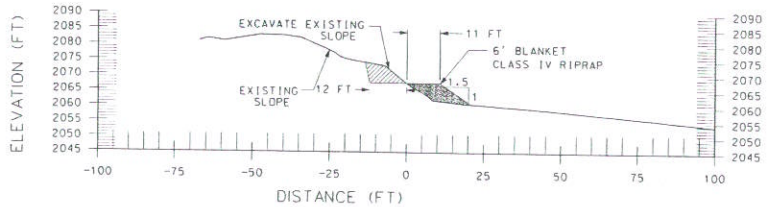
SANDPOINT — IDAHO

SIZE	INVITATION NO	FILE NO	DATE	PLATE
D		E-52-1-59	15 OCT 07	C-3
DSGN DESJARDIN		CHK KAISER	SHEET 5	

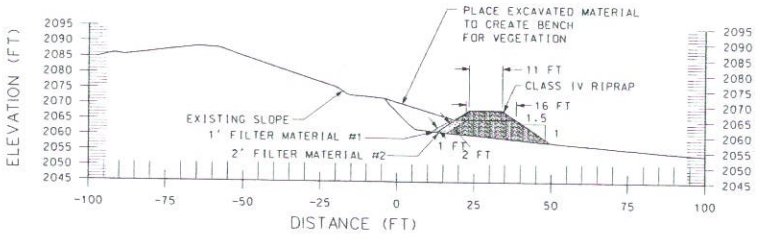
Figure 3



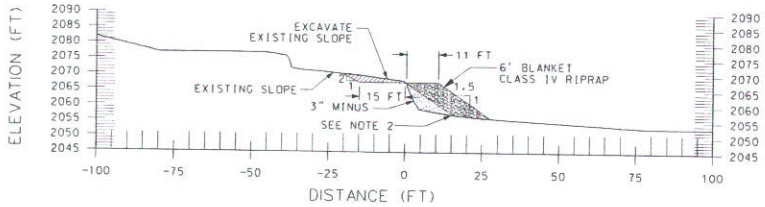
STA 0+00 - TIE-IN TO BVG BANK PROTECTION - FINAL SLOPE CUT (A / C-4)



TYPICAL SECTION
STA 1+20 - FINAL SLOPE CUT (B / C-4)



STA 2+20 - FINAL SLOPE FILL (C / C-4)



STA 2+40 - FINAL SLOPE CUT (D / C-4)

REVISIONS

SYMBOL	ZONE	DESCRIPTION	DATE	BY

NOTES:

1. REMOVE VEGETATION ALONG ALIGNMENT TO ALLOW PLACEMENT OF RIPRAP.

2. INCORPORATE LWD ENCOUNTERED ALONG THE ALIGNMENT INTO THE TOE. LWD SHALL CONSIST OF FIR OR CEDAR OR OTHER DURABLE WOOD THAT WILL NOT RAPIDLY DECOMPOSE AND SHALL BE PLACED AS OFTEN AS POSSIBLE AND IN CLUMPS OF SEVERAL PIECES. WOOD SHALL BE SALVAGED FROM ON-SITE DOWNED TREES. SEE DETAIL PLATE C-9.

3. EXPECTED WINTER MINIMUM LAKE LEVEL IS 2055 FEET.

4. PROJECT FOOTPRINT IS LIMITED. SLOPE IS TYPICALLY 1.5H:1V IN MOST LOCATIONS ALONG THE ALIGNMENT.

5. FILTER MATERIAL #1 AND FILTER MATERIAL #2 GRADATIONS ARE SHOWN ON PLATE G-2.

6. PROJECT INTENT IS BANK PROTECTION, NOT PROTECTION OR DESTRUCTION OF EXISTING STRUCTURES.

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U.S. ARMY ENGINEER DISTRICT, SEATTLE
CORPS OF ENGINEERS
SEATTLE, WASHINGTON

ALBENI FALLS DAM
SANDPOINT BANK STABILIZATION

SECTIONS A, B, C, D

SANDPOINT IDAHO

SIZE	INVITATION NO	FILE NO	DATE	PLATE
D		E-52-1-59	15 OCT 07	C-6
DSGN DESJARDIN		CHK KAISER	SHEET 8	

Figure 4